

Appln. No. 09/897,613
Amdt. dated August 18, 2003
Reply to Office Action of June 18, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: HONBO, et al.
Serial No.: 09/897,613
Filed: July 3, 2001
For: NON-AQUEOUS SECONDARY BATTERY HAVING NEGATIVE ELECTRODE INCLUDING GRAPHITE POWDER
Group: ~~0254~~ 1745
Examiner: John S. Maples
Docket No.: 503.34465VV4

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RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 18, 2003

Sir:

In response to the Office Action mailed June 18, 2003, applicants respectfully elect the Group II claims, that is, claims 13-24, which the Examiner alleges is drawn to a second non-aqueous battery. This election is made without traverse.

Consideration of the Group II claims (claims 13-24), on the merits, in the above-identified application, in due course, is respectfully requested.

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To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 503.34465VV4) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read "William I. Solomon", with a long horizontal flourish extending to the right.

William I. Solomon
Registration No. 28,565

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